

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: R. CORTESE et al.

Serial No. 10/579,509

Filed: May 16, 2006

For: PPAR AGONISTS FOR THE TREATMENT OF HCV
INFECTIONArt Unit: UnknownExaminer: UnknownCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.By Date 16-May-2007

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

U. S. SERIAL NUMBER	RELATED APPLICATION	
	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Julie M. Lake
 Attorney For Applicant(s)

Reg. No. 51,156

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 Patent Dept., RY60-30
 P.O. Box 2000
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(732)594-7159

Date: May 16, 2007

STATEMENT BY APPLICANT

(Use as many sheets as necessary)

COMPLETE IF KNOWN

Application Number	10/579,509
Filing Date	May 16, 2006
First Named Inventor	R. CORTESE et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	ITT0070P

Sheet	1	of	3
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[illegible]

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	1		WO 97/28115	A1	Merck & Co., Inc.	08/07/1997
	2		WO 00/78312	A1	Merck & Co., Inc.	12/28/2000
	3		WO 00/78313	A1	Merck & Co., Inc.	12/28/2000
	4		WO 02/060434	A2	Merck & Co., Inc.	08/08/2002
	5		WO 02/26729	A2	Merck & Co., Inc.	04/04/2002
	6		WO 01/60807	A1	Merck & Co., Inc.	08/23/2001
	7	EPO	EP 1 194 146	B1	Merck & Co., Inc.	04/10/2002
	8	EPO	EP 1 194 147	B1	Merck & Co., Inc.	04/10/2002
	9		WO 03/066581	A1	Eli Lilly & Co.	08/14/2003
	10		WO 03/007591	A1	National Graphics, Inc.	01/23/2002

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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COMPLETE IF KNOWN

Application Number	10/579,509
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Group Art Unit	
Examiner Name	

Sheet	2	of	3	Attorney Docket Number	ITT0070P
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Examiner
Signature

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/579,509	
			Filing Date	May 16, 2006	
			First Named Inventor	R. CORTESE et al.	
			Group Art Unit		
			Examiner Name		
Sheet	3	of	3	Attorney Docket Number	ITT0070P

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Vincent Agnello et al., "Hepatitis C Virus and Other Flaviviridae Viruses Enter Cells Via Low Density Lipoprotein Receptor," PNAS 96(22) 12766-12771 (1999).
		Piero Pileri et al., "Binding of Hepatitis C Virus to CD81," Science, v.#282, 938-941 (Oct. 30, 1998).
		Elisa Scarselli et al., "The Human Scavenger Receptor Class B Type I Is a Novel Candidate Receptor for the Hepatitis C Virus," EMBO Journal 21(19) 5017-5025 (2002).
		Birke Bartosch et al., "Cell Entry of Hepatitis C Virus Requires a Set of Co-Receptors That Include the CD81 Tetraspanin and the SR-B1 Scavenger Receptor," J. Bio. Chem. 278(43) 41624-41630 (2003).
		Beatrice Desvergne & Walter Wahli, "Peroxisome Proliferator-Activated Receptors: Nuclear Control of Metabolism," Endocrine Reviews, v.#20, 649-688 (1999).
		Joel Berger et al., "Novel Peroxisome Proliferator-Activated Receptor (PPAR) gamma-and PPAR-delta-Ligands Produce Distinct Biological Effects," J. Bio. Chem. 274(10) 6718-6725 (1999).
		Ranjit C. Desai et al., "5-Aryl Thiazolidine-2,4-diones: Discovery of PPAR Dual alpha/gamma Agonists as Antidiabetic Agents," Bio. & Med. Chem. Lett., v.#13, 2795-2798 (2003).
		Alan D. Adams et al., "O-Arylmandelic Acids as Highly Selective Human PPAR alpha/gamma Agonists," Bio. & Med. Chem. Lett., v.#13, 3185-3190 (2003).
		Ranjit C. Desai et al., "Aryloxazolidinediones: Identification of Patent Orally Active PPAR Dual alpha/gamma Agonists," Bio. & Med. Chem. Lett., v.#13, 3541-3544 (2003).

Examiner Signature		Date Considered	
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